

**RICHARD J. OTTEN**  
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March 5, 2003

Mr. Mark Howard  
Reregistration Branch, SRRD (H7508W)  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Ave, N.W.  
Washington DC 20460

RE: Tolerance Reregistration Eligibility Decision (TRED) for 4-CPA

Dear Mark:

The document from Mr. Michael Goodis was received by us on February 18, 2003. Therefore, we are responding well within the 30-day period requested in his letter.

In general, we agree that the document correctly identifies data, discussion at the previous SMART meetings, waivers and minor use considerations. Since then, there are several additional comments for your consideration:

1. I'm told that all use of this compound for suppression of mung bean sprouting has been consolidated in one location (LaChoy) rather than the two or three possible locations mentioned in the TRED, thus reducing potential exposure from use even more.

2. We continue to recommend that EPA take the administrative steps to reduce the published residue tolerance from 2.0 to 0.2 ppm. Whereas the calculated risk is acceptable at the higher level, we feel it is in the best interest of EPA and the compound to have the published residue tolerance more accurately reflect the real-life residue potential.

3. We were pleased that the TRED recognized the ongoing discussions between EPA and registrants of the major phenoxy herbicides regarding the preference of using rats as the model for potential toxicological effects on man, rather than dogs.

It may take several years for agreement to be reached. Thus, it is understandable that EPA take the conservative approach in this TRED and base its calculations on effect levels in dogs. In the interest of scientific accuracy, we may run the risk calculations using effect levels in rats to see if there is a major difference in conclusions.

4. Otherwise, there is no additional data being developed by Conagra Grocery Product Company at this time.

We were a little surprised that EPA included in the TRED comments on older (1965 era) non-GLP studies on reproductive effects. We wonder if these comments add anything to the TRED, other than to show for the record that EPA considered all data available to it.

5. The amount of compound used in the U.S. per year for inhibition of mung

bean root development continues at roughly the same level as reported to you previously.

Please contact me if you or your associates have additional questions.

Sincerely,

*Dick*

Richard J. Otten

Regulatory Consultant for Conagra Grocery Products Company

RJO/dgm

cc: Rennie P. Ruiz, Ph.D., Conagra Grocery Product Company